

Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon of the 10th day of October 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2591—Filed, September 28, 1936; 12:33 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE GULF-GRIMES FARM, FILED ON SEPTEMBER 5, 1936, BY SCHAPPERT-TEDEN-BLUMER, INC., RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 11:00 o'clock in the forenoon of the 26th day of September 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon of the 10th day of October 1936, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2590—Filed, September 28, 1936; 12:33 p. m.]

Wednesday, September 30, 1936

No. 142

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

DESIGNATING THE CHAIRMAN OF THE UNITED STATES MARITIME COMMISSION

By virtue of and pursuant to the authority vested in me by section 201 (a) of the Merchant Marine Act, 1935 (49 Stat. 1985), I hereby designate Henry A. Wiley as Chairman of the United States Maritime Commission.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 26, 1936.

[No. 7460]

[F. R. Doc. 2617—Filed, September 29, 1936; 11:26 a. m.]

EXECUTIVE ORDER

PLACING CERTAIN LANDS UNDER THE CONTROL OF THE SECRETARY OF THE INTERIOR

*Alabama*

By virtue of and pursuant to the authority vested in me by section 1 of the act of July 5, 1884, ch. 214, 23 Stat. 103, it is ordered that the following-described lands be, and they are hereby, placed under the control of the Secretary of the Interior for disposition as provided in that act:

At the entrance of Mobile Bay, the small islands between the north point of Dauphin Island and Cedar Point, and

so much of Cedar Point as lies in fractional secs. 25 and 26 of T. 8 S., R. 2 W., St. Stp. M., Alabama.

The Executive Order of February 9, 1842, reserving certain lands for military purposes, is hereby revoked as to the above-described lands.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 26, 1936.

[No. 7461]

[F. R. Doc. 2610—Filed, September 29, 1936; 11:26 a. m.]

EXECUTIVE ORDER

PLACING CERTAIN LAND UNDER THE CONTROL OF THE SECRETARY OF THE INTERIOR

*Florida*

By virtue of and pursuant to the authority vested in me by section 1 of the act of July 5, 1884, ch. 214, 23 Stat. 103, it is ordered that the small island southwest of the pass or entrance at St. George's Sound known as Flag Island, Florida, be, and it is hereby, placed under the control of the Secretary of the Interior for disposition as provided in that act.

The Executive Order of November 17, 1882, reserving certain lands for military purposes, is hereby revoked as to the above-described land.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 26, 1936.

[No. 7462]

[F. R. Doc. 2618—Filed, September 29, 1936; 11:26 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48337]

CUSTOMS REGULATIONS AMENDED—TRADE-MARKS AND TRADE NAMES

CUSTOMS REGULATIONS OF 1931 AMENDED TO AUTHORIZE, IN CERTAIN CASES, THE RELEASE OR EXPORTATION OF MERCHANDISE DETAINED FOR VIOLATION OF TRADE-MARK LAWS

*To Collectors of Customs and Others Concerned:*

Pursuant to the authority contained in section 251, Revised Statutes (U. S. C., title 19, sec. 66) section 27 of the Trade-Mark Act of 1905 (U. S. C., title 15, sec. 106), section 6 of the Trade-Mark Act of 1920 (U. S. C., title 15, sec. 126), and sections 526 and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1526 and 1624), articles 518 and 522 of the Customs Regulations of 1931 are amended to read as follows:

ART. 518. *Prohibition of Importation.*—(a) Merchandise of foreign or domestic manufacture is prohibited importation when it bears a name or mark which copies or simulates a trade-mark or trade name entitled to the protection of the Trade-Mark Act of 1905 or the Trade-Mark Act of 1920, unless such merchandise is imported by or for the account of, or with the written consent of, the owner of the protected trade-mark or trade name.

(b) A name or mark (including a name or mark which is a genuine trade-mark or trade name in a foreign country) on an article of foreign manufacture identical with a trade-mark or trade name protected by the trade-mark laws of the United States, as well as a name or mark on an article of foreign or domestic manufacture counterfeiting such protected trade-mark or trade name, or so resembling such protected trade-mark or trade name as to be likely to cause confusion or mistake in the minds of the public or to deceive purchasers, shall be deemed for the purposes of these regulations to copy or simulate such protected trade-mark or trade name. However, merchandise manufactured or sold in a foreign country under a trade-mark or trade name, which trade-mark is registered and recorded, or which trade name is recorded, under the trade-mark laws of the United States, shall not be deemed for the purpose of these regulations to copy or simulate such United States trade-mark or trade name if such foreign trade-mark or trade name and such United States trade-mark or trade name are owned by the same person, partnership, association, or corporation.

Add "*Bourgeois & Co. v. Aldridge* (1923) 263 U. S. 675" as a marginal reference to article 518(b), as amended.

ART. 522. *Detention—Seizure—Exportation—Release.*—(a) Merchandise of foreign manufacture which bears a trade-mark entitled to the protection of section 526 of the Tariff Act of 1930, and merchandise which bears a name or mark copying or simulating a trade-mark or trade name entitled to the protection of section 27 of the Trade-Mark Act of 1905, or section 6 of the Trade-Mark Act of 1920, if not imported by or for the account of, or with the appropriate written consent of, the owner of the United States trade-mark or trade name, shall be detained, but not seized, until 30 days have elapsed from the date of notice to the importer that the merchandise is prohibited importation.

(b) Whenever merchandise is detained in accordance with the foregoing provisions of this article and the written consent of the owner of the trade-mark or trade name to the importation of the merchandise is not presented to the collector prior to the expiration of the 30-day period, the merchandise shall be seized and forfeited in the usual manner, except that in any such case if the foreign value does not exceed \$100 and the collector is satisfied that the importation involved neither wilful negligence nor any intention to defraud the revenue or to violate the law, he may release the merchandise, without formal seizure and without referring the matter to the Bureau, upon the condition that, within 30 days from the date of the collector's decision, the name, mark, or trade-mark be removed or obliterated prior to the release, or the merchandise be exported under customs supervision and without expense to the Government. If the value exceeds \$100, the importer may petition the Commissioner of Customs, through the collector, for the release of or permission to export the merchandise under the same conditions. (See Article 1120.) In any such case, however, if the name, mark, or trade-mark is indelibly impressed upon the merchandise or upon the immediate container thereof and it is impracticable to remove or obliterate the same, such merchandise may be destroyed or exported under customs supervision and at the expense of the importer, or if the immediate container alone bears the name, mark, or trade-mark the merchandise may be released after the container has been so destroyed or exported.

(c) Merchandise forfeited for violation of any trade-mark law may be disposed of in accordance with the procedure applicable to other customs forfeitures, but only after removal or obliteration of the name, mark, or trade-mark by reason of which the goods were seized.

(d) If the violation is not discovered until after entry and deposit of estimated duty, the entry shall be endorsed with an appropriate notation, the duty refunded as an erroneous collection, and the merchandise disposed of in accordance with the foregoing provisions of this article.

[SEAL]

J. H. MOYLE,

Commissioner of Customs.

Approved, September 22, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 2640—Filed, September 29, 1936; 1:04 p. m.]

[T. D. 48538]

## CUSTOMS REGULATIONS AMENDED—INVOICING

## CUSTOMS REGULATIONS OF 1931 AMENDED SO AS TO DISPENSE WITH CONSULAR INVOICES FOR CERTAIN ARTICLES

## To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in Section 484 (b) of the Tariff Act of 1930 (U. S. C. title 19, sec. 1484 (b)), Articles 294 (b), as amended (T. D. 47883) and 465 (a), (b) and (c) Customs Regulations of 1931, are amended, effective as to importations on and after the date of this Treasury Decision, as follows:

Article 294 (b) as amended (T. D. 47883) is further amended by adding items fifteen and sixteen reading as follows:

(15) Automobiles, aircraft, and other vehicles, boats, teams, and saddle horses taken abroad by the owner or his agent for noncommercial use, and returned by or for the account of such owner under the provisions of Article 465 of the Customs Regulations of 1931.

(16) Imported merchandise which is exported from continuous customs custody.

Article 465 (a) is amended by deleting the period at the end thereof and adding a comma and the following:  
and without the requirement of a consular invoice.

Article 465 (b) is amended by adding a sentence at the end thereof as follows:

Consular invoices will not be required for such repairs, alterations and additions made abroad, or for such accessories acquired abroad.

Article 465 (c) is amended by inserting after the comma following the word "duty" in line seven the following:  
and without the requirement of a consular invoice,

[SEAL]

J. H. MOYLE,

Commissioner of Customs.

Approved, September 24, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 2639—Filed, September 29, 1936; 1:04 p. m.]

[T. D. 48539]

## CUSTOMS REGULATIONS AMENDED—DOMESTIC BAGGAGE THROUGH FOREIGN TERRITORY

## CUSTOMS REGULATIONS OF 1931 AMENDED

## To Collectors of Customs and Others Concerned:

Pursuant to authority contained in Section 461 of the Tariff Act of 1930 (U. S. C. title 19, sec. 1461) Section 554 of the Tariff Act of 1930 (U. S. C. title 19, sec. 1554) and Section 624 of the Tariff Act of 1930 (U. S. C. title 19, sec. 1624), the Customs Regulations of 1931 are amended as follows:

Article 223 is amended to read:

ART. 223. *Domestic Baggage Through Contiguous Foreign Territory.*—The provisions of Article 424½, relative to the transportation of domestic baggage from port to port in the United States through foreign territory, are applicable to ports on the Canadian and Mexican frontiers and should be followed in all cases.

An additional article, designated Article 424½, is hereby added to the Customs Regulations, and reads as follows:

ART. 424½. *Domestic Baggage Through Foreign Territory.*—(a) Checked baggage of domestic origin, transported from port to port in the United States via a foreign port or through foreign territory may, on the request of the carrier, be corded and sealed by United States Customs officers at ports of exit from the United States with United States Customs in-transit seals, with a special manifest, in the following form, on white cardboard 2½ by 4½ inches in size attached to each piece on the cord back of the seal:

## UNITED STATES CUSTOMS

## IN TRANSIT BAGGAGE MANIFEST

Check No. -----

This baggage is in transit from -----, (Port of exit)

through foreign territory to -----, in the (Port of reentry)

United States.

This baggage was corded and sealed by me and laden for transportation as above stated.

Date -----

U. S. Customs Officer

(b) At the final port of reentry into the United States the Customs officer shall cut the cord and retain the manifest for an office record.

(c) In lieu of cording and sealing, the baggage may be forwarded in a car or compartment sealed with United States Customs blue seals and manifested as in the case of other merchandise in transit through foreign territory.

(d) If the Customs officer at the port of reentry into the United States finds that the cords and seals are not intact or for any other reason believes that the baggage has been tampered with while outside the United States, he shall detain the same for examination. Otherwise, it may be passed without examination.

(e) The Customs officer who cords and seals baggage at the port of exit shall keep a record of his action.

(f) The provisions of this article shall not apply to domestic hand baggage crossing foreign territory which, upon reentry into the United States, shall be examined in the same manner as baggage of foreign origin, unless exempted therefrom by special authority from the Bureau of Customs.

[SEAL]

J. H. MOYLE,

Commissioner of Customs.

Approved, September 25, 1936.

JOSEPHINE ROOHE,

Acting Secretary of the Treasury.

[F. R. Doc. 2638—Filed, September 29, 1936; 1:04 p. m.]

## DEPARTMENT OF THE INTERIOR.

## Division of Grazing.

## NEW MEXICO GRAZING DISTRICT No. 3

## MODIFICATION

SEPTEMBER 11, 1936.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269) and subject to the limitations and conditions therein contained, New Mexico Grazing District No. 3 as established by order approved July 11, 1935, is hereby revoked so far as it affects the following described lands, such revocation to be effective upon the withdrawal of the lands for the War Department as a target range:

## NEW MEXICO MERIDIAN

T. 23 S., R. 10 W., sec. 5, E $\frac{1}{2}$ ,  
sec. 9, NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .

CHARLES WEST,  
Acting Secretary of the Interior.

[F. R. Doc. 2612—Filed, September 29, 1936; 9:51 a. m.]

## FEDERAL TRADE COMMISSION.

## United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of September A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2809]

## IN THE MATTER OF G. LINDHOLM COMPANY, INC.

## ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717, 15 U. S. C. A., Section 41)

It is ordered, that Robert S. Hall, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, that the taking of testimony in this proceeding begin on Monday, October 5, 1936, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 2614—Filed, September 29, 1936; 11:01 a. m.]

## United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of September A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2822]

## IN THE MATTER OF MARTIN J. LEYDEN

## ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal

Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41)

It is ordered, that Henry M. White, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, that the taking of testimony in this proceeding begin on Friday, October 9, 1936, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 301, Federal Building, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 2615—Filed, September 29, 1936; 11:01 a. m.]

## United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 28th day of September A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2832]

## IN THE MATTER OF ROXIE THORSON, TRADING AS THORSON'S SOAP LAKE PRODUCTS COMPANY

## ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that Henry M. White, an examiner of this Commission, be and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, that the taking of testimony in this proceeding begin on Monday, October 5, 1936, at ten o'clock in the forenoon of that day (Pacific Standard Time), at the Roxie Thorson Hotel, Soap Lake, Washington.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 2613—Filed, September 29, 1936; 11:01 a. m.]

## United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of September A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2852]

## IN THE MATTER OF I. B. KLEINERT RUBBER COMPANY, A CORPORATION

## ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41)

It is ordered that Robert S. Hall, an examiner of this Commission, be and he hereby is, designated and appointed

to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Thursday, October 1, 1936, at ten o'clock in the forenoon of that day (eastern standard time), room 500, 45 Broadway, New York, N. Y.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report by the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 2616—Filed, September 29, 1936; 11:02 a. m.]

## RESETTLEMENT ADMINISTRATION.

[Administration Order-199]

### THE FDA (FARM DEBT ADJUSTMENT) PROGRAM

SEPTEMBER 26, 1936.

#### 1. Purpose.

(a) This Order prescribes definitions, policies, organization, and procedures applicable to FDA activities.

#### 2. Definitions.

(a) The "FDA Program" is an organized effort to provide facilities for composing or otherwise adjusting, without legal action, farmers' excessive debts to conform with their capacity to pay.

(b) The term "adjustment" as used herein means any agreement, settlement, or compromise between a farm debtor and his creditors which gives the debtor a reasonable opportunity to meet his debts and to continue his farming operations.

(c) The term "adjusted case" refers to the case of a debtor in which an adjustment has been made.

(d) The term "debt reduction" as used herein means a lowering of the amount a debtor is obligated to pay to his creditors.

(e) The term "interest rate reduction" as used herein means a lowering in the rate of interest a debtor is obligated to pay to his creditors.

(f) The term "extension" as used herein means the postponement of the date on which a debt will mature.

(g) The term "excessive debt" as used herein means indebtedness beyond the ability of a debtor to pay.

#### 3. General Policies.

(a) It is the policy of the RA:

I. To facilitate by impartial mediation the adjustment of excessive debts of farmers.

II. To encourage and assist voluntary state and county FDA committees in their efforts to adjust excessive debts of farmers.

III. To render FDA service *without charge of any kind*.

(b) It is *not* the policy of the RA to encourage or assist any person to avoid payment of his bona-fide obligations within his ability to pay. It is expected that each debtor shall meet his obligations to the full limit of his ability.

#### 4. Persons Eligible.

(a) Persons eligible for FDA service are:

I. Farm owners, farm tenants, or share croppers who:

(A) Are indebted beyond their ability to pay.

(B) Carry an excessive burden of debt by depriving themselves and families of necessary subsistence.

(C) Are in need of advice concerning agricultural financing.

II. Creditors of the persons listed in paragraph 4a, I, A, and B hereof.

#### 5. Organization.

(a) Responsibility for formulating the policies and objectives applicable to the FDA program is delegated to the

Assistant Administrator in charge of RR. A FDA Section will be created and will function under the supervision of the Director of the RR Division. The Assistant Administrator in charge of RR will recommend for appointment a Chief of the FDA Section and such additional staff as may be required. The Director of the RR Division will advise with the Assistant Administrator in charge of RR regarding FDA activities.

(b) The regional director is responsible to the Administrator for carrying out the policies of the RA applicable to FDA activities within the region. The regional director will recommend for appointment a regional FDA chief who will be under the administrative supervision of the assistant regional director in charge of RR.

#### (c) The Regional FDA Chief:

I. It will be the duty of the regional FDA chief to:

(A) Advise the assistant regional director in charge of RR regarding the FDA Program within the region.

(B) Recommend to the regional director personnel to be employed as state FDA supervisors within the region.

(C) Meet with and advise state FDA committees.

(D) Advise state RR directors, state FDA supervisors, district RR and FDA supervisors, and county RR supervisors regarding the conduct of FDA activities.

(E) Determine local needs for FDA service.

(F) Coordinate FDA activities with other RR activities in the regional office.

(G) Prepare such regional reports of FDA activities as may be requested by the Administrator.

(H) Perform such other duties as may be required of him.

#### (d) State RR director and state FDA supervisor:

I. The state RR director is responsible to the assistant regional director in charge of RR for the FDA Program within the state. The regional director will recommend for appointment, where necessary, a *state FDA supervisor* who will be responsible to the state RR director.

II. It will be the duty of the state FDA supervisor to—

(A) Recommend to the state RR director personnel to be employed as district FDA supervisors within the state.

(B) Supervise and direct the work of district FDA supervisors.

(C) Meet with, advise, and assist state and county FDA committees.

(D) Adjust debts, particularly in cases involving unusual difficulties or where creditors are located at a distance from the district or county personnel.

(E) Perform such other duties as may be required of him.

#### (e) The district FDA supervisor:

I. The district FDA supervisor is responsible to the state FDA supervisor (in those states where a state FDA supervisor is not appointed, then to the state RR director) for the FDA program within his assigned district.

II. It will be the duty of the district FDA supervisor to—

(A) Meet with, encourage, and assist county FDA committees.

(B) Recommend changes in personnel and organization of county FDA committees.

(C) Adjust debts.

(D) Advise and assist county RR supervisors in connection with FDA activities.

(E) Arrange for local publicity through the regional information adviser regarding the FDA program.

(F) Perform such other duties as may be required of him.

#### (f) Voluntary FDA Committees:

I. Voluntary state and county FDA committees are appointed by the governors of the several states. The members of these committees, as such, are not employees of the

RA nor responsible to the Administration. These committees devise means of adjusting excessive debts of farmers and act as mediators between debtors and creditors. The members serve without pay. Through the RA a limited amount of money has been provided to partially reimburse state and county FDA committeemen for expenses incurred by them while actually engaged in FDA work, and the services of full-time personnel have been made available where necessary to aid and advise these committees in adjusting debts.

#### 6. Farm-Debt Adjustment for Prospective RR Clients.

(a) Whenever it appears that the debts of a prospective standard RR client are excessive or creditors are pressing for settlement, it shall be the duty of the county RR supervisor to make the adjustment necessary to insure the soundness of the farm management plan prior to recommending a standard RR loan. If unable to make the necessary adjustment unaided, the county RR supervisor may request the assistance of the county FDA committee or the district FDA supervisor.

I. The debts of a prospective RR client shall be deemed to be excessive when it is shown by the preparation of a sound farm management plan that the client will be unable to meet his obligations and, at the same time, support his family on a basis consistent with acceptable standards in the community, continue farming operations as provided in the farm management plan, and repay the RR loan.

#### 7. Methods of Adjusting Excessive Debts.

##### (a) Debt Reduction:

I. An adjustment by debt reduction is deemed to have been accomplished when the amount a debtor is obligated to pay to his creditors has been lowered by voluntary agreement, settlement, or compromise to an amount which the debtor may reasonably be expected to pay, considering the resources at his command.

##### (b) Interest Rate Reduction:

I. An adjustment by interest rate reduction is deemed to have been accomplished when the rate of interest a debtor is obliged to pay to his creditors has been reduced by voluntary agreement to a rate which gives the debtor a reasonable chance to pay all of his debts, and providing:

(A) The interest rate reduction is the *principal factor* in bringing debtor's obligations within his ability to pay.

(B) The creditor (or creditors) granting the reduction continue a creditor relationship to debtor (which existed prior to the adjustment) *after* the adjustment.

II. It is not considered that any adjustment is involved when interest rate reduction is *merely incidental to the refinancing of a debt by a government or other lending agency charging a fixed rate of interest.*

##### (c) Extension:

I. An adjustment by extension is deemed to have been accomplished when the maturity of a debtor's obligation or obligations has been postponed or put forward by voluntary agreement with his creditors for a sufficient length of time to give the debtor a reasonable opportunity to meet all his debts as they become due.

##### (d) Other Methods:

I. Adjustments may be accomplished by other methods whereby a debtor is given a reasonable opportunity to pay his debts as they mature and continue his farming operations as the result of a voluntary agreement, settlement, or compromise with his creditors.

II. A few of the more common of these methods are as follows:

(A) Conveyance by debtor to creditor of a portion of his property in consideration of a release of all obligations by the creditor, leaving the balance of the property in debtor's possession free of encumbrances.

(B) Lease of property to debtor by creditor after foreclosure with option to repurchase, which will give debtor a reasonable chance to recover property.

(C) Sale of portion of property by debtor for sufficient amount to enable him to meet his debts, leaving balance of property for farming operations.

(D) Securing of a loan for debtor under circumstances where the debtor would have been unable to obtain credit through his own efforts. (Note: The mere referral of a debtor to a lending agency is not considered an adjustment, even though the debtor secures a loan which makes it possible for him to meet his obligations as they mature and continue his farming operations.)

(E) Securing of an increase in the amount of a loan already granted where the debtor would have been unable to obtain same through his own efforts, *provided* the increased commitment is the principal factor in effecting the adjustment.

##### (e) Combination of Methods:

I. An adjustment by any combination of methods is considered to have been accomplished when the debtor is given a reasonable opportunity to meet his obligations as they mature and continue his farming operations.

##### (f) Selection of Method of Adjusting Debts:

I. The method or methods to be employed in adjusting debts in each case will be determined by the parties interested in the case and the FDA committees or RA personnel assisting in the settlement.

#### 8. Reports.

(a) Regional directors or their authorized designees will submit such periodic and special reports on FDA activities as may be required by the Administrator.

(b) State RR directors, state FDA supervisors, district RR and FDA supervisors and county RR supervisors will keep and preserve such records and make such reports as may be required by the Administrator.

(Signed) R. G. TUGWELL, Administrator.

SEPTEMBER 28, 1936.

[F. R. Doc. 2011—Filed, September 23, 1936; 4:06 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

### SECURITIES EXCHANGE ACT OF 1934

#### RULE ADOPTING FORM 22

The Securities and Exchange Commission, finding—

(1) that the requirements of Form 22, as more specifically defined in the instruction book accompanying that form,<sup>1</sup> are necessary and appropriate in the public interest and for the protection of investors, and that, insofar as the information required by such form and instruction book is not within the provisions of Section 12 (b) of the Securities Exchange Act of 1934, it is of a character comparable to such information and is applicable to the class of issuers and securities for which such form is prescribed; and

(2) that the exhibits required by such instruction book are necessary and appropriate for the proper protection of investors and to insure fair dealing in the securities registered on Form 22,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby adopts Form 22 and the instruction book accompanying Form 22.

<sup>1</sup> Form 22 and Instruction Book for Form 22 were filed with the Division of the Federal Register; copies are available upon application to the Securities and Exchange Commission.



## AMENDMENT TO RULE JB1

The Securities and Exchange Commission, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby amends Rule JB1, by inserting immediately after the paragraph under the caption "Form 21 for Bonds of Foreign Private Issuers" the following paragraphs:

*Form 22 for Issuers Reorganized in Insolvency Proceedings or which Have Succeeded to a Person in Insolvency Proceedings.* This form shall be used for applications for registration of securities of any issuer which, pursuant to a plan,

- (a) has been or is being reorganized in insolvency proceedings;
- (b) has acquired or is to acquire, directly or indirectly, substantially all of its business and assets (other than cash) from a person in insolvency proceedings or from such person and one or more of its subsidiaries, and is continuing or is to continue the business so acquired; or
- (c) being a subsidiary of a person in insolvency proceedings, has acquired or is to acquire directly or indirectly substantially all of its assets (other than cash and other than assets owned by it prior to such acquisition) from such person or from such person and one or more of its subsidiaries,

if the securities are, or are to be, outstanding or issued pursuant to the plan, or were or are to be issued after the consummation of the plan; provided that this form shall not be used by issuers for which Form 8-A, 12, or 12-A is prescribed, or for applications filed with the exchange after the expiration of a full fiscal year of the issuer commencing on or after the date on which the transfer or opening of accounts was made.

*Form 23 for Successor Issuers.*—This form shall be used for applications for registration of securities of any issuer which has acquired, or is presently to acquire, directly or indirectly, the major portion of its business and assets (other than cash) by acquiring all or a part of the business and assets of one or more other person, and is continuing, or is to continue, the business so acquired.

*Provided, however* that this form shall not be used by issuers for which Form 8-A, 8-B, 12, 12-A, or 22 is prescribed, or for applications filed with the exchange after the expiration of a full fiscal year of the issuer commencing on or after the date on which such major portion of its assets and business were so acquired.

The foregoing action shall be effective immediately upon publication.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 2632—Filed, September 29, 1936; 12:47 p. m.]

## SECURITIES EXCHANGE ACT OF 1934

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities and Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby adopts the following amendments to Rule JB1 and to the Instruction Book for Form 10:

## AMENDMENT TO RULE JB1 AND AMENDMENT NO. 16 TO THE INSTRUCTION BOOK FOR FORM 10

The paragraph of Rule JB1 under the caption "Form 10 for Corporations" and the paragraph under the caption "Rules as to Use of Form 10 for Corporations" at the beginning of the Instruction Book for such form are hereby amended by deleting from each thereof the following:

*provided, however*, that this form shall not be used for applications for the permanent registration of securities of any corporation which is, at the time the application is filed, or was, immediately prior to the applicable date specified in subparagraph (i), (ii), or (iii) below, in bankruptcy or receivership or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act, unless the application is filed more than ninety days after the close of the first fiscal year of such corporation commencing on or after the date specified below:

- (i) in the case of receiverships, the date when possession of all or substantially all of the assets of such corporation shall have been revested in such corporation;

- (ii) in the case of bankruptcies or proceedings for reorganization pursuant to said Section 77 or 77B in which a trustee or trustees shall have been appointed, the date when title to all or substantially all of the assets of such corporation shall have been revested in such corporation; and

- (iii) in the case of proceedings for reorganization pursuant to said Section 77 or 77B in which no trustee shall have been appointed, and in which a plan pursuant to which such corporation is to retain all or substantially all of its assets has been confirmed by order pursuant to said Section 77 or finally confirmed pursuant to said Section 77B, the date of entry of such order;

*provided, further*, that this form shall not be used for applications for the permanent registration of securities of any corporation which has been or shall be organized for the purpose of acquiring all or substantially all of the assets of another issuer or issuers and which has acquired or shall acquire such assets, unless the application is filed more than ninety days after the close of the first fiscal year of such corporation commencing on or after the date of such acquisition.

and inserting in lieu thereof, in each of said paragraphs, the following:

*provided, however*, that this form shall not be used for applications for the permanent registration of securities of any corporation for which, at the time the application is filed, Form 22 or 23 is prescribed; and provided further that this form shall not be used for applications for the permanent registration of securities of any corporation, if, at the time the application is filed, such corporation is in bankruptcy or receivership or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act, and (a) a trustee or receiver appointed in such proceedings has title to or possession of a substantial portion of the assets of such corporation, or (b) such corporation is in possession of a substantial portion of its assets pursuant to an order entered under subdivision (c), clause (2) of said Section 77 or subdivision (c), clause (1) of said Section 77B.

The foregoing amendments shall become effective immediately upon publication, provided that Form 10 may be used for any application filed with the Commission on or before December 31, 1936, if permitted by the rule for the use of said form as it existed prior to such amendments.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 2633—Filed, September 29, 1936; 12:47 p. m.]

## SECURITIES EXCHANGE ACT OF 1934

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby adopts the following amendments to Rule JB1 and to the Instruction Book for Form 11.

## AMENDMENT TO RULE JB1 AND AMENDMENT NO. 4 TO THE INSTRUCTION BOOK FOR FORM 11

The paragraph of Rule JB1 under the caption "Form 11 for Unincorporated Issuers" and the paragraph under the caption "Rules as to the Use of Form 11 for Unincorporated Issuers" at the beginning of the Instruction Book for such form, are hereby amended by deleting from each thereof the following:

*provided, however* that this form shall not be used for applications for the permanent registration of securities of any issuer which is, at the time the application is filed, or was, immediately prior to the applicable date specified in subparagraph (i), (ii), or (iii) below, in bankruptcy or receivership or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act, unless the application is filed more than ninety days after the close of the first fiscal year of such issuer, commencing on or after the date specified below:

- (i) in the case of receiverships, the date when possession of all or substantially all of the assets of such issuer shall have been revested in such issuer;

- (ii) in the case of bankruptcies or proceedings for reorganization pursuant to said Section 77 or 77B in which a trustee or trustees shall have been appointed, the date when title to all or substantially all of the assets of such issuer shall have been revested in such issuer; and

- (iii) in the case of proceedings for reorganization pursuant to said Section 77 or 77B, in which no trustee shall have been appointed, and in which a plan pursuant to which such issuer is to retain all or substantially all of its assets has been confirmed by order pursuant to said Section 77 or finally confirmed pursuant to said Section 77B, the date of entry of such order;

provided, further, that this form shall not be used for applications for the permanent registration of securities of any issuer which has been or shall be organized for the purpose of acquiring all or substantially all of the assets of another issuer or issuers and which has acquired or shall acquire such assets, unless the application is filed more than ninety days after the close of the first fiscal year of such issuer which shall have commenced on or after the date of such acquisition.

and inserting in lieu thereof, in each of said paragraphs, the following:

provided, however, that this form shall not be used for applications for the permanent registration of securities of any issuer for which, at the time the application is filed, Form 22 or 23 is prescribed; and provided further that this form shall not be used for applications for the permanent registration of securities of any issuer, if, at the time the application is filed, such issuer is in bankruptcy or receivership or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act, and (a) a trustee or receiver appointed in such proceedings has title to or possession of a substantial portion of the assets of such issuer, or (b) such issuer is in possession of a substantial portion of its assets pursuant to an order entered under subdivision (c), clause (2) of said Section 77 or subdivision (c), clause (1) of said Section 77B.

The foregoing amendments shall become effective immediately upon publication, provided that Form 11 may be used for any application filed with the Commission on or before December 31, 1936, if permitted by the rule for the use of said form as it existed prior to such amendments.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 2634—Filed, September 29, 1936; 12:48 p. m.]

#### SECURITIES EXCHANGE ACT OF 1934

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly Sections 3 (a) (12), 10 (b), and 23 (a) thereof, hereby takes the following action:

##### 1. REPEAL OF CERTAIN RULES

The following rules are hereby repealed:

Rule AN2  
Rule AN3  
Rule AN6  
Rule AN7  
Rule AN10  
Rule AN14

Rule AN1 is hereby amended to read as follows:

##### 2. AMENDMENT OF RULE AN1

**RULE AN1. Exemption from Section 7 (c) (2) of certain securities exempted from registration or admitted to trading on exchanges exempted from registration.**—(a) So long as any security continues to be listed on a national securities exchange as a security exempted from the operation of Section 12 (a), pursuant to a rule which specifically provides that this rule shall be applicable to such security, such security shall be exempt from the operation of Section 7 (c) (2) to the extent necessary to render lawful any direct or indirect extension or maintenance of credit thereon or any direct or indirect arrangement thereof which would not have been unlawful if such security had been a security (other than an exempted security) registered on a national securities exchange.

(b) So long as any security which is not registered on a national securities exchange continues to be admitted to either listed or unlisted trading privileges on any exchange which is exempted from registration as a national securities exchange, such security shall be exempt from the operation of Section 7 (c) (2) to the extent necessary to render lawful any direct or indirect extension or maintenance of credit thereon or any direct or indirect arrangement thereof which would not have been unlawful if such security had been a security (other than an exempted security) registered on a national securities exchange.

##### 3. AMENDMENT OF RULE AN8

Rule AN8 is hereby amended to read as follows, such amendment to become effective at the close of business on December 31, 1936:

**RULE AN8. Temporary exemption from Sections 12 (a) and 7 (c) (2) of certain securities of banks and bank holding companies; prohibition of use of manipulative or deceptive devices or contri-**

**ances with respect thereto.**—(a) The following securities shall be exempt from the operation of Section 12 (a) to and including the one hundred and twentieth day after the filing of applications on the form appropriate for such security shall be authorized: (1) securities of banks and bank holding companies as to which temporary registration expired on June 30, 1935, and (2) securities of the same issuer heretofore or hereafter issued in exchange for or resulting from a modification of any securities exempted from the operation of Section 12 (a) by this Rule.

(b) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

##### 4. AMENDMENT OF RULE AN9

Rule AN9 is hereby amended by deleting paragraphs (c) and (d) thereof, and inserting in lieu thereof the following paragraph:

(c) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) or (b) of this Rule.

##### 5. AMENDMENT OF RULE AN11

Rule AN11 is hereby amended to read as follows, such amendment to become effective at the close of business on December 31, 1936:

**RULE AN11. Temporary exemption from Section 12 (a) and 7 (c) (2) of certain securities of issuers in bankruptcy or receivership or in process of reorganization; prohibition of use of manipulative or deceptive devices or contrivances with respect thereto.**—(a) The following securities shall be exempt from the operation of Section 12 (a) for the period specified in paragraph (b) of this Rule: securities as to which temporary registration expired on June 30, 1935, and which are securities of issuers in bankruptcy or receivership or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act (other than securities for which the filing of applications on Form 12-A is authorized).

(b) As to any security exempted from the operation of Section 12 (a) by paragraph (a) of this Rule, such exemption shall continue to long as

(i) a trustee or receiver appointed in bankruptcy or receivership proceedings or proceedings for reorganization pursuant to said Section 77 or 77B has title to or possession of a substantial portion of the assets of the issuer of such security, or

(ii) such issuer is in possession of a substantial portion of its assets pursuant to an order entered under subdivision (c), clause (2) of said Section 77 or subdivision (c), clause (1) of said Section 77B.

and thereafter until the close of business on the tenth day following the dispatch, to the exchange on which such security is listed and to such issuer, of notice of the entry of an order (to be entered after appropriate notice and opportunity for hearing to the exchange and to such issuer) finding that neither of the conditions specified in sub-paragraphs (i) and (ii) above exists: *Provided, however,* That such exemption shall terminate in any event when registration pursuant to Section 12 (b), (c), and (d) becomes effective as to such security. The exchange on which any such security is listed shall advise the Commission promptly after acquiring of the fact that neither of such conditions any longer exists.

(c) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

##### 6. AMENDMENT OF RULE AN12

Rule AN12 is hereby amended as follows:

(a) By deleting from paragraph (a) thereof the words "to and including the respective dates specified in said paragraph (b)" and inserting in lieu thereof the words "for the period specified below."

(b) By deleting from paragraph (a) thereof the words "upon the basis of an application filed by such issuer."

(c) By inserting at the end of paragraph (a) the following:

Such exemption shall continue to and including December 31, 1936, unless an application for the registration of securities of such class shall have been filed on or before December 26, 1936, in which event such exemption shall continue to and including January 26, 1937.

(d) By deleting from paragraph (b) thereof the words "and the respective dates to and including which such exemption shall continue."

(e) By deleting the second sentence of each of sub-paragraphs (1), (2), and (3) of paragraph (b) thereof.

(f) By inserting immediately after the words "confirmed" and "finally confirmed", in sub-paragraph (2) of paragraph (b) thereof, the words "by order."

(g) By deleting paragraphs (c) and (d) thereof, and inserting in lieu thereof the following paragraph:

(c) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraphs (a) and (b) of this Rule.

Rule AN12, as so amended, reads as follows:

**RULE AN12. Temporary exemption from Sections 12 (a) and 7 (c) (2) of certain classes of securities of issuers emerging from bankruptcy or receivership or proceedings for reorganization; prohibition of use of manipulative or deceptive devices or contrivances with respect thereto.**—(a) Any class of securities of an issuer described in paragraph (b) of this Rule shall be exempt from the operation of Section 12 (a) for the period specified below, to the extent necessary to render lawful the effecting of transactions therein on any national securities exchange on which such class of securities shall be or continue to be approved for listing (or for listing on official notice of issuance), provided that either or both of the following conditions are satisfied:

(1) at least a portion of such class of securities was or shall be issued in exchange for or otherwise in respect of, or shall have resulted from a modification of the rights of holders of, securities of such issuer, and such latter securities (or certificates of deposit or voting trust certificates therefor) at the time of such issuance or modification shall have been registered on such national securities exchange pursuant to Section 12 (b), (c) and (d) or pursuant to Section 12 (e), or authorized so to be registered thereon on official notice of issuance, or shall have been listed on such national securities exchange or authorized so to be listed on official notice of issuance as securities exempted from the operation of said Section 12 (a).

(2) at least a portion of such class of securities was or shall be issued upon the exercise of warrants or rights to subscribe to or otherwise acquire the same, which warrants or rights by their terms expire on a date which shall be within one hundred and twenty days after the issuance thereof and shall have been issued in exchange for or otherwise in respect of securities of such issuer, and such latter securities (or certificates of deposit or voting trust certificates therefor) at the time of such issuance shall have been registered on such national securities exchange pursuant to Section 12 (b), (c), and (d) or pursuant to Section 12 (e), or authorized so to be registered thereon on official notice of issuance, or shall have been listed on such national securities exchange or authorized so to be listed on official notice of issuance as securities exempted from the operation of said Section 12 (a).

Such exemption shall continue to and including December 31, 1936, unless an application for the registration of securities of such class shall have been filed on or before December 26, 1936, in which event such exemption shall continue to and including January 26, 1937.

(b) The classes of issuers to the securities of which the exemption provided in paragraph (a) of this Rule is applicable are as follows:

(1) Issuers, which, at or immediately prior to the revesting of title hereinafter mentioned, shall have been in bankruptcy or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act, if a trustee or trustees shall have been appointed in such proceedings, and if title to all or substantially all of the assets of such issuer shall have been vested in such issuer, whether before or after the adoption of this Rule;

(2) Issuers which, at the date of entry of the order hereinafter mentioned, shall have been in the process of reorganization pursuant to said Section 77 or 77B, if no trustee shall have been appointed in such proceedings and if a plan pursuant to which such issuer is to retain all or substantially all of its assets has been confirmed by order pursuant to said Section 77 or finally confirmed by order pursuant to said Section 77B, whether before or after the adoption of this Rule.

(3) Issuers which, at or immediately prior to the revesting of possession hereinafter mentioned, shall have been in receivership, if possession of all or substantially all of the assets of such issuer shall have been vested in such an issuer, whether before or after the adoption of this Rule.

(c) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraphs (a) and (b) of this Rule."

#### 7. AMENDMENT OF RULE AN13

Rule AN13 is hereby amended as follows:

(a) By deleting from the caption thereof the words "organized for the purpose of acquiring and."

(b) By deleting from paragraph (a) thereof the words "organized for the purpose of acquiring, and which shall have acquired", and inserting in lieu thereof the following: which, having at the time no assets or liabilities other than nominal ones, shall have acquired.

(c) By deleting from paragraph (a) thereof the words "upon the basis of an application filed by such issuer."

(d) By changing the period at the end of paragraph (a) thereof to a semicolon, and adding to said paragraph the following:

provided, however, that, in the case of any such class of securities for which the filing of an application on Form 22 is or shall hereafter become authorized, (1) such exemption shall not continue after December 31, 1936, unless an application for the registration of securities of such class shall have been filed on or before December 26, 1936, and (2) in no event shall such exemption continue after January 26, 1937.

(e) By deleting paragraphs (b) and (c) thereof, and inserting in lieu thereof the following paragraph:

(b) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

Rule AN13, as so amended, reads as follows:

**RULE AN13. Exemption from Sections 12 (a) and 7 (c) (2) of certain classes of securities of certain issuers which have acquired the assets of other issuers; prohibition of use of manipulative or deceptive devices or contrivances with respect thereto.**—(a) Any class of securities of an issuer which, having at the time no assets or liabilities other than nominal ones, shall have acquired (whether before or after the adoption of this Rule), directly or indirectly through the medium of one or more subsidiaries all of whose stock, except directors' qualifying shares, is owned by such issuer, all or substantially all of the assets of

(1) another issuer, or

(ii) another issuer and one or more of its subsidiaries, or

(iii) one or more subsidiaries of another issuer, if all of the stock of such subsidiaries, except directors' qualifying shares, is directly or indirectly owned by and constitutes substantially all of the assets of such other issuer,

shall be exempt from the operation of Section 12 (a) to and including the date specified below, to the extent necessary to render lawful the effecting of transactions therein on a national securities exchange on which such class of securities shall be approved for listing (or for listing upon official notice of issuance), provided that either or both of the following conditions are satisfied:

(1) at least a portion of such class of securities was or shall be issued in exchange for or otherwise in respect of securities of such other issuer, and such latter securities (or certificates of deposit or voting trust certificates therefor) at the time of such issuance shall have been registered on such national securities exchange pursuant to Section 12 (b), (c), and (d) or pursuant to Section 12 (e), or authorized so to be registered thereon on official notice of issuance, or shall have been listed on such national securities exchange or authorized so to be listed on official notice of issuance as securities exempted from the operation of said Section 12 (a).

(2) at least a portion of such class of securities was or shall be issued upon the exercise of warrants or rights to subscribe to or otherwise acquire the same, which warrants or rights by their terms expire on a date which shall be within one hundred and twenty days after the issuance thereof and shall have been issued in exchange for or otherwise in respect of securities of such other issuer, and such latter securities (or certificates of deposit or voting trust certificates therefor) at the time of such issuance shall have been registered on such national securities exchange pursuant to Section 12 (b), (c), and (d), or pursuant to Section 12 (e), or authorized so to be registered thereon on official notice of issuance, or shall have been listed on such national securities exchange or authorized so to be listed on official notice of issuance as securities exempted from the operation of said Section 12 (a).

Such exemption shall continue to and including the one hundred and twentieth day after the filing of applications on a form appropriate for such securities shall have been authorized, or the one hundred and twentieth day after the date of such acquisition, whichever shall be the later; provided, however, that, in the case of any such class of securities for which the filing of an application on Form 22 is or shall hereafter become authorized, (1) such exemption shall not continue after December 31, 1936, unless an application for the registration of securities of such class shall have been filed on or before December 26, 1936, and (2) in no event shall such exemption continue after January 26, 1937.

(b) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

#### 8. AMENDMENT OF RULE AN15

Rule AN15 is hereby amended by deleting paragraph (b) thereof, and inserting in lieu thereof the following paragraph:

(b) Rule GB1 shall be applicable to any warrant or certificate exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.



## 9. AMENDMENT OF RULE AN19

Rule AN19 is hereby amended by deleting paragraphs (d) and (e) thereof, and inserting in lieu thereof the following paragraph:

(d) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraphs (a) of this Rule.

## 10. AMENDMENT OF RULE AN20

Rule AN20 is hereby amended by deleting paragraphs (d) and (e) thereof, and inserting in lieu thereof the following paragraph:

(d) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

## 11. AMENDMENT OF RULE AN21

Rule AN21 is hereby amended by deleting paragraphs (b) and (c) thereof, and inserting in lieu thereof the following paragraph:

(b) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

## 12. ADOPTION OF RULE GB1

The following rule is hereby adopted:

**RULE GB1. Prohibition of use of manipulative or deceptive devices or contrivances with respect to certain securities exempted from registration.**—The term manipulative or deceptive device or contrivance, as used in Section 10. (b), is hereby defined to include any act or omission to act with respect to any security exempted from the operation of Section 12 (a) pursuant to a rule which specifically provides that this rule shall be applicable to such security, if such act or omission to act would have been unlawful under Section 9 (a), or any rule or regulation heretofore or hereafter prescribed thereunder, if done or omitted to be done with respect to a security registered on a national securities exchange, and the use of any means or instrumentality of interstate commerce or of the mails or of any facility of any national securities exchange to use or employ any such device or contrivance in connection with the purchase or sale of any such security is hereby prohibited.

Except as otherwise specifically provided herein, the foregoing action shall become effective immediately on publication.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2635—Filed, September 29, 1936; 12:48 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE ANDERSON-PRICHARD-COOKE FARM, FILED ON SEPTEMBER 15, 1936, BY S. LEROY ESTES, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same are hereby revoked and the said proceeding terminated.

By the Commission:

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2624—Filed, September 29, 1936; 12:45 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 26th day of September A. D. 1936.

[File No. 2-1423]

IN THE MATTER OF REGISTRATION STATEMENT OF NATIONAL INVESTED SAVINGS CORPORATION

ORDER CHANGING DATE FOR HEARING

The Commission having heretofore, on September 19, 1936, ordered that a hearing under Section 8 of the Securities Act of 1933, as amended, be held in this matter on September 29, 1936, at 2 o'clock p. m., in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and having designated Charles S. Moore, an officer of the Commission, to take testimony therein; and

Counsel for the Commission having requested a postponement of such hearing,

It is ordered, that the hearing heretofore called for September 29, 1936, be held at the same hour and place on October 2, 1936.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2622—Filed, September 29, 1936; 12:44 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MAGNOLIA-METROPOLITAN FARM, FILED ON SEPTEMBER 15, 1936, BY W. R. CURRY, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 11:00 o'clock in the forenoon of the 6th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon of the 31st day of October 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2625—Filed, September 29, 1936; 12:45 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of September 1936.

[File No. 1-412]

IN THE MATTER OF CHICAGO MAIL ORDER COMPANY COMMON CAPITAL STOCK, \$5 PAR VALUE

ORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING AND REGISTRATION

The Chicago Mail Order Company, pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, having made application for withdrawal from listing and registration on the Chicago Stock Exchange 346,181 shares of Common Capital Stock, \$5 Par Value; and

The Commission having considered the application and information pertinent thereto, and having due regard for the public interest and the protection of investors; It is ordered, that said application be and hereby is granted, effective at the close of the trading session on October 9, 1936.

By the Commission.

[SEAL] FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 2631—Filed, September 29, 1936; 12:47 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 15th day of September 1936.

[File No. 1-151]

IN THE MATTER OF DURHAM HOSIERY MILLS 6% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE

ORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING AND REGISTRATION

The Durham Hosiery Mills, pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, having made application to withdraw from listing and registration on the New York Stock Exchange 32,737 shares of 6% Cumulative Preferred Stock, \$100 Par Value; and

The Commission having considered the application and information pertinent thereto, and having due regard for the public interest and the protection of investors;

It is ordered, that said application be and hereby is granted, effective at the close of the trading session on September 30, 1936.

By the Commission.

[SEAL] FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 2630—Filed, September 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of September 1936,

[File No. 1-1992]

IN THE MATTER OF MULLINS MANUFACTURING CORPORATION, CLASS A COMMON STOCK, \$7.50 PAR VALUE

ORDER GRANTING APPLICATIONS FOR STRIKING FROM LISTING AND REGISTRATION

The Boston Stock Exchange and the New York Stock Exchange, pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, having made application to strike from listing and registration on said Exchanges the Class A Common Stock, \$7.50 Par Value, of Mullins Manufacturing Corporation; and

The Commission having considered the applications and information pertinent thereto, and having due regard for the public interest and the protection of investors;

It is ordered, that said applications be and hereby are granted, effective at the close of the trading session on September 30, 1936.

By the Commission.

[SEAL] FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 2629—Filed, September 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 14th day of September 1936.

[File No. 1-2416]

IN THE MATTER OF PROVINCE OF BUENOS AIRES 6½% EXTERNAL SINKING FUND GOLD BONDS OF 1930, DATED FEBRUARY 1, 1930, DUE AUGUST 1, 1961 (UNASSENTED)

ORDER GRANTING APPLICATION FOR STRIKING FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, having made application to strike from listing and registration on said Exchange the 6½% External Sinking Fund Gold Bonds of 1930, dated February 1, 1930, due August 1, 1961 (Unassented) of Province of Buenos Aires; and

The Commission having considered the application and information pertinent thereto, and having due regard for the public interest and the protection of investors;

It is ordered, that said application be and hereby is granted, effective at the close of the trading session on September 28, 1936.

By the Commission.

[SEAL] FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 2628—Filed, September 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TEXAS-MARIE HAGERTY FARM, FILED ON SEPTEMBER 4, 1936, BY LANDOWNERS ROYALTIES CO., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 25, 1936, be effective as of September 25, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P BRASSOR, *Secretary*.

[F. R. Doc. 2623—Filed, September 29, 1936; 12:44 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-HAYES-HIGHLAND RUSSELL FARM, FILED ON SEPTEMBER 14, 1936, BY R. E. PITTS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 25, 1936, be effective as of September 25, 1936; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2626—Filed, September 29, 1936; 12:45 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-ROANOKE-POWELL FARM, FILED ON SEPTEMBER 14, 1936, BY R. E. PITTS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 25, 1936, be effective as of September 25, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2627—Filed, September 29, 1936; 12:46 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-CLARK FARM, FILED ON SEPTEMBER 22, 1936, BY S. LEROY ESTES, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the statements in Item 1, Division II, that the smallest fractional interest is a 1/240th of the whole royalty and is entitled to 1 out of every 4,800 barrels of oil produced appear incorrect, in view of the information in the note to this item;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of October 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and hereby is, designated as trial ex-

aminer to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of October 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2629—Filed, September 29, 1936; 12:44 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE GULF-EHRlich FARM, FILED ON SEPTEMBER 22, 1936, BY SOUTHWEST ROYALTIES COMPANY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in Division III insufficient data are given to support the estimate of 10,000 barrels per acre recovery from the Topeka Lime over the entire tract. This figure does not follow the reasoning therein contained based upon the factors used.

2. In that in Division III insufficient explanation is made regarding the method of arriving at productive acreage and the per acre production of the Fairport Field which is used for comparative purposes in estimating the per-acre yield from the Oswald Lime on the Gulf-Ehrlich tract.

3. In that insufficient information is given in Division III to warrant the assumption that productivity of the Gorham Horizon in the Gulf-Ehrlich tract will be above average or that the lease used for comparison is an average lease.

4. In that in Division III, in the estimate of recoverable oil from the Silicious Lime, insufficient reasons are given for using the average initial potential of only 3 wells in the tract used for comparison in determining the estimated recoverable barrels per barrel initial potential of the Gulf-Ehrlich.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of October 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance,

take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 13th day of October 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2621—Filed, September 29, 1936; 12:44 p. m.]

Thursday, October 1, 1936

No. 143

# PRESIDENT OF THE UNITED STATES.

## GENERAL PULASKI MEMORIAL DAY

By the President of the United States of America

### A PROCLAMATION

WHEREAS by the War for American Independence there was established in this land a broader freedom than the world had ever known before; and

WHEREAS it is fitting that we should hold ever in honor the heroes of that War in order that the American youth of today may be better prepared to preserve intact the liberties their forefathers won; and

WHEREAS one of the most valiant warriors in the American struggle for independence was that heroic foe of tyranny and oppression, General Casimir Pulaski, who fell mortally wounded at the siege of Savannah, while fighting for liberty, and died, on October 11, 1779; and

WHEREAS Public Resolution 110, 74th Congress, approved June 20, 1936, provides:

"That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1936, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby invite the people of the United States to observe October 11, 1936, the one hundred and fifty-seventh anniversary of the glorious death of General Pulaski, as General Pulaski Memorial Day, with appropriate ceremonies in schools and churches or other suitable places, and do direct that the flag shall be displayed upon all Government buildings on that day, as a mark of respect to his memory.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 26th day of September, in the year of our Lord nineteen hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

*Secretary of State.*

[No. 2198]

[F. R. Doc. 2644—Filed, September 30, 1936; 10:28 a. m.]

## EXECUTIVE ORDER

### ABOLISHING FORT PIERCE, FLORIDA, AS A CUSTOMS PORT OF ENTRY

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, 38 Stat. 609, 623 (U. S. C., title 19, sec. 2), it is ordered that Fort Pierce, Florida, be, and it is hereby, abolished as a customs port of entry in Customs Collection District No. 18 (Florida), effective thirty days from the date of this order.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 29, 1936.

[No. 7463]

[F. R. Doc. 2645—Filed, September 30, 1936; 11:19 a. m.]

## TREASURY DEPARTMENT.

### Bureau of Customs.

[T. D. 48545]

### CUSTOMS REGULATIONS AMENDED

CUSTOMS REGULATIONS OF 1931, RELATING TO REGAUGING OF DISTILLED SPIRITS EXPORTED FROM CUSTOMS BONDED WAREHOUSES, AND ALLOWANCE FOR EVAPORATION, AMENDED

### To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in Section 251, Revised Statutes (U. S. C., title 19, sec. 66), and Sections 556 (U. S. C., title 19, sec. 1556), and 624 (U. S. C., title 19, sec. 1624) of the Tariff Act of 1930, Article 334 of the Customs Regulations of 1931 is hereby amended to read as follows:

ART. 334. *Distilled spirits, regauge.*—Distilled spirits in casks and similar containers shall be regauged on withdrawal for exportation, and duty shall be collected on any deficiency from the original gauge unless the collector of customs is satisfied, after careful investigation, that the deficiency is due solely to evaporation.

[SEAL]

J. H. MOYLE,  
*Commissioner of Customs.*

Approved, September 25, 1936.

JOSEPHINE ROCHE,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 2641—Filed, September 30, 1936; 10:11 a. m.]

## DEPARTMENT OF THE INTERIOR.

### Office of Indian Affairs.

MODIFICATION OF ORDERS OF SEPTEMBER 19, 1934, NOVEMBER 2, 1934, AND NOVEMBER 5, 1935, REMOVING THE TOWNSITES OF OMAK AND INCHELIUM, COLVILLE INDIAN RESERVATION, WASHINGTON, FROM THE OPERATION THEREOF

SEPTEMBER 14, 1936.

Whereas, pursuant to authority contained in Section 3 of the Act of June 18, 1934 (48 Stat. L., 984), this Department by orders of September 19 and November 2, 1934, temporarily withdrew from disposition of any kind all vacant undisposed of opened lands on various Indian reservations, including the vacant unsold lots within the townsites of Omak and Inchellium on the Colville Indian Reservation, Washington, and,

Whereas, on November 5, 1935, the Department continued certain lands, including the said vacant lots, in a state of temporary withdrawal, and,

Whereas, the Colville Indian Tribal Council, in a meeting held April 27, 1936, has considered the matter of the disposition to be made of vacant lands on that reservation and, among other things, has expressed its desire that vacant lots in the said townsites of Omak and Inchellium be allowed to be restored to their former salable status, in which view the Superintendent of the Colville Indian Reservation and the Commissioner of Indian Affairs concur,